

The frequency spectrum used by over-the-air broadcasters is public property. As such, those using this space should be operating in the public good. The use of encryption and copy-protection runs counter to this long held understanding. By choosing to make their product available using this publicly held carrier, the broadcasters should understand that in return, we should have free access to use what the broadcast (as is allowable under copyright law).

In addition, the home electronics industry has long thrived on new innovations. These innovations, such as the VCR and personal video recorders, have relied on unfettered access to over-the-air content. If the broadcast flag and copy protection are mandated, then the broadcasters will be in a position to eliminate current technologies and/or stop new and useful technologies like the MPAA tried to halt the spread of VCRs in the early 80s.